



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*In re* Application of: )

Mark Cartier, et al. )

Serial No. 10/053,495 )

Filed: November 2, 2001 )

For: FOOTWEAR MIDSOLE WITH )  
COMPRESSIBLE ELEMENT IN )  
LATERAL HEEL AREA )

Group Art Unit: 3728

Examiner: TBD

Docket No. 005127.00090

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**APR 23 2002**  
TECHNOLOGY CENTER R3700

**INFORMATION DISCLOSURE STATEMENT**

Honorable Assistant Commissioner for Patents  
Washington, D.C. 20231

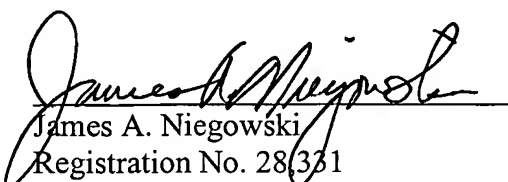
Sir:

Pursuant to the duty of disclosure set forth in 37 C.F.R. §1.56(a), applicants submit the documents cited on the attached PTO-1449 form and respectfully request that the Examiner consider these documents.

In accordance with 37 C.F.R. §1.97(b)(3), this Information Disclosure Statement is being submitted before the mailing of a first Office action on the merits. Applicants respectfully submit, therefore, that no fees are due for the submission of this Information Disclosure Statement. If a fee is required, however, the Commissioner is authorized to debit Deposit Account Number 19-0733.

Applicants respectfully requests that the documents cited on the attached PTO-1449 form be made officially of record, and that a listing of the documents appear on the face of any patent that may issue from this application.

Respectfully submitted,

By:   
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Dated: April 19, 2002



Sheet \_1\_ of \_5\_

FORM PTO-1449 US DEPARTMENT OF COMMERCE (Rev. 2-32) PATENT AND TRADEMARK OFFICE  INFORMATION DISCLOSURE BY APPLICANT  (Use several sheets if necessary)	ATTY. DOCKET NO.  005127.00090	SERIAL NO. 10/053,495 <b>RECEIVED</b> APR 23 2002 TECHNOLOGY CENTER GROUP R3700
	APPLICANT  Mark Cartier, et al.	
	FILING DATE  11/2/01	3728

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	D298,583	11/1988	Yung-Mao			
	D315,634	3/1991	Yung-Mao			
	D433,216	11/2000	Avar et al.			
	507,490	10/1893	Gambino			
	622,673	4/1899	Ferrata			
	933,422	9/1909	Dee			
	949,754	2/1910	Busky			
	1,094,211	4/1914	Jenoi et al.			
	1,099,180	6/1914	Karacsonyi			
	1,102,343	7/1914	Kovacs			
	1,272,490	7/1918	Matear			
	1,278,320	9/1918	Ellithorpe			
	1,338,817	5/1920	DeLuca			
	1,502,087	7/1924	Bunns			
	1,670,747	5/1928	Sestito			
	1,870,065	8/1932	Nusser			
	1,870,114	8/1932	Heller			
	2,104,924	1/1938	Dellea			
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	2,437,227	3/1948	Hall			
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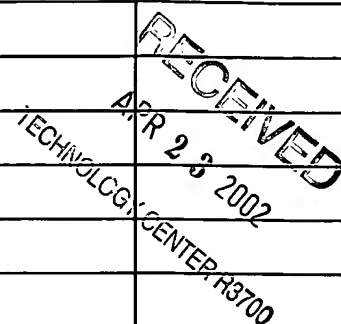


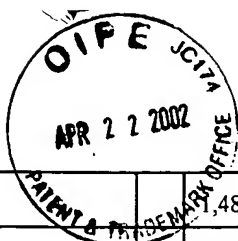
	3,041,746	7/1962	Rakus			
	3,429,545	2/1969	Michel			
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	4,030,213	6/1977	Daswick			
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	4,237,625	12/1980	Cole et al.			
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	4,279,797	7/1981	Nelson, et al.			
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	4,305,212	12/1981	Coomer			
	4,314,413	2/1982	Dassler			
	4,319,412	3/1982	Muller et al.			
	4,342,158	8/1982	McMahon et al.			
	4,354,318	10/1982	Frederick, et al.			
	4,364,188	12/1982	Turner, et al.			
	4,364,189	12/1982	Bates			
	4,399,621	8/1983	Dassler			
	4,439,936	4/1984	Clarke et al.			
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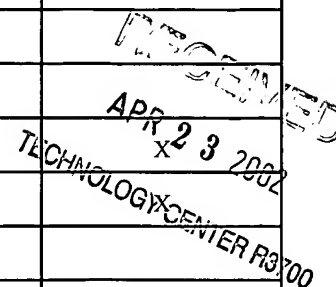


	4,559,366	12/1985	Hostettler			
	4,566,206	1/1986	Weber			
	4,592,153	6/1986	Jacinto			
	4,594,799	6/1986	Lin			
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	4,638,575	1/1987	Illustrato			
	4,660,299	4/1987	Omilusik			
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	570 130	9/1974	Switzerland			X
	1,036,287	1/1997	Spain			X
	2,080,933	1/1990	Spain			X



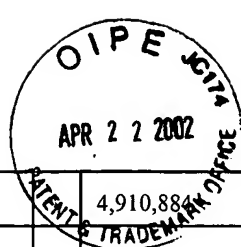
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

		Article entitled "Hoop Dreams" (Applicants do not know the date of publication; however, they believe that the publication date for this reference is at least one year prior to the November 2, 2001 filing date for the present application.)
		Advertisement for Aura "Introducing the exciting new performance driven 2001 Aura."
		Web page translation using babelfish, entitled "The tennis shoe with the motivating force" (Applicants do not know the date of publication; however, they believe that the publication date for this reference is at least one year prior to the November 2, 2001 filing date for the present application.)
		Elastocell™ Microcellular Polyurethane Products, Technical Information, Elastocell™, a Means for Antivibration and Sound Isolation (Applicants do not know the date of publication; however, they believe that the publication date for this reference is at least one year prior to the November 2, 2001 filing date for the present application.)
		Elastocell™ Microcellular Polyurethane Products, Material Data Technical Information, Long Term Static and Dynamic Loading of Elastocell® (Applicants do not know the date of publication; however, they believe that the publication date for this reference is at least one year prior to the November 2, 2001 filing date for the present application.)
		Elastocell™ Microcellular Polyurethane Products, Technical Bulletin, Spring and Damping Elements made from Elastocell (Applicants do not know the date of publication; however, they believe that the publication date for this reference is at least one year prior to the November 2, 2001 filing date for the present application.)
		FWN, Vol. 40, No. 38, September 17, 1990, "Marco Scatena puts spring in Athlon wearers' control"
		SAE Technical Paper Series, "Microcellular Polyurethane Elastomers as Damping Elements in Automotive Suspension Systems," by Christoph Prolingheuer and P. Henrichs, International Congress and Exposition, Detroit, Michigan, February 25-March 1, 1991
		Spring- and Shock Absorber Bearing Spring Elements, Springing Comfort with High Damping (Applicants do not know the date of publication; however, they believe that the publication date for this reference is at least one year prior to the November 2, 2001 filing date for the present application.)
		Activ Power Spring System catalog, front and back pages with English translation of back page

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



	4,910,884	3/1990	Lindh et al.			
	4,918,838	4/1990	Chang			
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	4,956,927	9/1990	Misevich et al.			
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	5,247,742	9/1993	Kilgore et al.			
	5,317,819	6/1994	Ellis, III			
	5,343,639	9/1994	Kilgore et al.			
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	5,425,184	6/1995	Lyden et al.			
	5,572,804	11/1996	Skaja et al.			
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	6,055,746	5/2000	Lyden, et al.			
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#### FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES : NO :
	465,267	4/1914	France			X
	1,227,420	4/1960	France			X
	2,556,118	6/1985	France			X (Abstract)
	806,647	2/1949	Germany			X